

REMARKS

Reconsideration of the present patent application is respectfully requested. Claims 1-9 and 12-20 are pending in this application. Claims 10 and 11 have been withdrawn. Claims 1, 2, 4-7, 9 and 13-20 stand as rejected. Claims 3, 8, and 12 are objected to. By this amendment, claim 17 has been amended.

Claim Rejections- 35 U.S.C. §112

Claims 17-19 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, the Office action states that the phrase “may be” in claim 17 renders the claim indefinite because it is unclear whether the limitation(s) following the phrase are part of the claimed invention. In response, claim 17 has been amended to modify the phrase “such that the frame may be separated ” to the phrase “allowing the frame to be separated” to overcome the indefiniteness rejection.

Claim Rejections- 35 U.S.C. §102

Claims 1, 2, 4, 5, 7, 9, 13-16, and 20 are rejected under 35 U.S.C. §102(b) as being anticipated by Takahashi (USPN 6,019,678).

Claim 1

Claim 1 recites, in part, “whereby upon rotation of said frame in a first direction said hook engages said retainer and upon rotation of said frame in a second direction said hook disengages said retainer allowing disassembly of said screen system.” Applicants respectfully submit that Takahashi fails to disclose each and every element of claim 1.

Takahashi discloses an annular spring holder 18 supported in the center of the wind tunnel 7 by plural support legs 17 and a decorative plate 19 having a bifurcate spring 20 mounted on the upper surface of the plate. To secure the plate 19 to the ventilation fan main body 8, the plate is pressed toward the body such that the two branches of the spring 20 are inserted into the ring-shaped holder 18 (the holder deflects the branches toward each other). The elastic force in

the outward opening direction of the spring supports the plate to the body while allowing the plate to rotate relative to the body (see col. 4, lines 20-31 and lines 55-67). To disassemble the plate from the body, it is evident that the plate would have to be pulled away from the body with sufficient force to overcome the elastic force of the spring against the ring-shaped holder.

Thus, Takahashi does not disclose rotating a frame in a first direction to engage a hook with a retainer and rotating a frame in a second direction to disengage the hook from the retainer to allow disassembly of the screen system. Therefore, it is respectfully submitted that the rejection of claim 1, and the claims that depend therefrom, is not supported by the cited art and should be withdrawn.

Claim 20

Claim 20 recites a means for releasably attaching the frame to the housing. An element in a claim expressed as a means for performing a specified function shall be construed to cover the corresponding structure, material, or acts described in the specification and equivalents thereof (see 35 USC §112, paragraph 6 and *In re Donaldson*, 16 F.3d 1189 (Fed. Cir. 1994)). Therefore, the means for releasably attaching the frame to the housing, as recited in claim 20, should be construed to cover the corresponding structure disclosed in the application and equivalents. Takahashi does not disclose a means for releasably attaching the frame to the housing as is disclosed in Applicants' application. Therefore, it is respectfully submitted that the rejection of claim 20 is not supported by the cited art and should be withdrawn.

Claim Rejections- 35 U.S.C. §103

Claims 6 and 17-19 are rejected under 35 U.S.C. §103(a) as being unpatentable over Takahashi.

Amended claim 17 recites, in part, "a seat circumscribing the aperture of the housing, the seat having a plurality of gaps around the circumference of the seat, each gap adapted to receive one of the plurality of hooks . . . wherein, when assembled to the housing, the frame is rotatable between a first position and a second position relative to the housing, wherein in the first position the plurality of hooks engage the plurality of detents to secure the frame to the housing, and

wherein in the second position the hooks are aligned with the gaps allowing the frame to be separated from the housing.”

As indicated above regarding the rejection of claim 1, Takahashi discloses a centrally mounted ring-shaped spring holder 18 that received bifurcate spring 20 mounted to a plate 19 such that the elastic force of the spring against the spring holder holds the plate to the body while allowing the plate to rotate relative to the body. The design of Takahashi is structurally (bifurcate spring within a central ring) and functionally (plate rotatably mounted to body) very different than Applicants’ claimed design (plurality of hooks, plurality of gaps around circumference of seat, plurality of detents, and rotation of frame to secure the frame to the housing (first position) and allow disassembly of the frame from the housing (second position)). Thus, it is respectfully submitted that modifying the design of Takahashi to include all the elements of the Applicants’ claimed design is not a matter of obvious design choice to one of ordinary skill in the art.

Therefore, the rejection of claims 6 and 17-19 is not supported by the cited art and should be withdrawn.

CONCLUSION

Based on the foregoing amendments and remarks, Applicant believes that all of the claims in this case are now in condition for allowance and an indication to that effect is respectfully requested.

Respectfully submitted,

Date: Jan. 31, 2008

By: MRB/Hull
Mark R. Hull, Reg. No. 54,753
(216) 622-8419